



Town of Groton, Connecticut

Meeting Agenda

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager 860-441-6630

Town Council

Mayor James L. Streeter, Councilors Bruce S. Flax, Bill Johnson, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Paulann H. Sheets, and Harry A. Watson

Tuesday, November 01, 2011

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to five (5) minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes

2011-0210 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of October 18, 2011 are hereby accepted and approved.

b. Administrative Items

2011-0207 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Various Donations - \$533.91 - Groton Utilities Energy Assistance Program

c. Deletions from the Town Council Referral List

2006-0305 Community Wide Fire Protection Analysis

Referral

2008-0156 Honoring the Service of Groton Residents in Afghanistan and Iraq

Referral

2009-0206 Preparation of Town Ethics Ordinance

Referral

2009-0242 Town-Wide Property Maintenance Code

Referral

2010-0037	Accidents at the Route 184/Route 27 Intersection	Referral
2010-0050	Town-Wide Residential Trash Collection	Referral
2010-0104	City of Groton Highway and Police Vehicle Auction Proceeds	Referral
2010-0112	Joint Meeting with Economic Development Commission	Referral
2010-0124	Review of Town Council Goals	Referral
2011-0027	Parks and Recreation Master Plan Committee Progress Report	Referral
2011-0079	Tax Abatement Program for Surviving Spouse of a Police Officer	Referral
2011-0201	Appointment of Jeff Williams to the Jabez Smith House Committee	Referral
2011-0203	Refunding Prior Years' Bonds (Part 1)	Referral
2011-0204	Noank School Reuse Task Force - Update	Referral
2011-0208	Refunding Prior Years' Bonds (Part 2)	Referral
2011-0209	Establishment of the Energy, Efficiency and Conservation Committee	Referral

VII. COMMUNICATION REPORTS (Other than Committee Reports)

- a. Town Councilors**
- b. Clerk of the Representative Town Meeting**
- c. Clerk of the Council**
- d. Town Manager**
- e. Town Attorney**

VIII. COMMITTEE REPORTS

- a. Community & Cultural Development - Chairman Peruzzotti**
- b. Economic Development - Chairman Johnson**
- c. Education/Health & Social Services - Chairman Kolnaski**
- d. Environment/Energy - Chairman Sheets**
- e. Finance - Chairman O'Beirne**
- f. Personnel/Appointments/Rules - Chairman Flax**
- g. Public Safety - Chairman Monteiro**
- h. Public Works/Recreation - Chairman Watson**
- i. Committee of the Whole - Mayor Streeter**

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2009-0206	Preparation of Town Ethics Ordinance	Referral
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RESOLUTION ACCEPTING CODE OF ETHICS TASK FORCE REPORT AND DRAFT CODE OF ETHICS

WHEREAS, Section 3.5.3 of the Town Charter calls for the Town Council to establish by ordinance a Code of Ethics and an Ethics Commission, and

WHEREAS, on August 4, 2009 the Town Council established the Ethics Subcommittee (renamed the Code of Ethics Task Force on December 15, 2009) to prepare and present to the Committee of the Whole a draft municipal code of ethics and a proposed policy and structure for a Town Ethics Commission, and

WHEREAS, the Town Council Committee of the Whole reviewed and commented on a report and draft code that was subsequently revised by the Code of Ethics Task Force and resubmitted to the Committee of the Whole for consideration on October 25, 2011, now therefore be it

RESOLVED, that the Town Council accepts the Code of Ethics Task Force Report dated September 7, 2010 and the Supplemental Report dated September 19, 2011, and be it further

RESOLVED, that the Town Council forwards the (revised) Draft Code of Ethics to the Town Attorney for review so that the document can then be forwarded to affected boards, commissions, and agencies for their consideration and comment.

Legislative History

7/28/2009	Town Council Committee of the Whole	Referred	Town Council Ethics Subcomr
8/11/2009	Town Council Ethics Subcommittee	Discussed	
12/15/2009	Town Council Ethics Subcommittee	Referred	Code of Ethics Task Force
10/25/2011	Town Council Committee of the Whole	Recommended for a Resolution	
10/25/2011	Code of Ethics Task Force	Referred	Town Council Committee of the Whole
2009-0242	Town-Wide Property Maintenance Code		Referral

RESOLUTION SUPPORTING PUBLIC INFORMATION SESSIONS ON A TOWN-WIDE BLIGHT ORDINANCE

WHEREAS, the Town Council Committee of the Whole referred consideration of a Town-wide Property Maintenance Code to the Public Works/Recreation Committee in June 2010, and

WHEREAS, the Public Works/Recreation Committee met with Office of Planning and Development Services (OPDS) staff on a number of occasions to discuss the Town's experience with the Property Maintenance Code in the Fort Hill Homes Neighborhood Revitalization Zone and other considerations, and

WHEREAS, in response to those discussions the OPDS staff developed a preliminary draft of a Town-wide Blight Ordinance and recommended that a public outreach effort precede adoption of any such ordinance, and

WHEREAS, the Public Works/Recreation Committee referred the draft Blight Ordinance and recommended approach to the Committee of the Whole for consideration, now therefore be it

RESOLVED, that the Town Council supports conducting public information and listening sessions to educate citizens and assess support for, and final development of, a Town-wide Blight Ordinance.

Legislative History

9/22/2009	Mayor	Referred	Town Council Committee of th
6/8/2010	Town Council Committee of the Whole	Referred	Town Council Public Works (I
<i>Councilor O'Beirne suggested that the Public Works Committee review the existing code for the Fort Hill neighborhood and make recommendations for a Town-wide code. The Mayor referred the issue to the Public Works Committee.</i>			
9/14/2010	Town Council Public Works (II)/Recreation Committee	Discussed	
12/14/2010	Town Council Public Works (II)/Recreation Committee	Discussed	
2/22/2011	Town Council Public Works (II)/Recreation Committee	Discussed	
5/24/2011	Town Council Public Works (II)/Recreation Committee	Discussed	
10/11/2011	Town Council Public Works (II)/Recreation Committee	Referred	Town Council Committee of th
10/25/2011	Town Council Committee of the Whole	Recommended for a Resolution	
10/25/2011	Town Council Committee of the Whole	Motion	

2011-0201 Appointment of Jeff Williams to the Jabez Smith House Committee Referral

RESOLUTION APPOINTING JEFF WILLIAMS TO THE JABEZ SMITH HOUSE COMMITTEE
WHEREAS, the Town Manager chooses to appoint Jeff Williams to the Jabez Smith House Committee, and

WHEREAS, appointments to the Jabez Smith House Committee by the Town Manager require the formal consent of the Town Council, now therefore be it

RESOLVED, that Jeff Williams, 307 Virgo Drive, is hereby appointed to the Jabez Smith House Committee for a term expiring 09/07/14.

Legislative History

10/12/2011	Mayor	Referred	Town Council Committee of th
10/25/2011	Town Council Committee of the Whole	Discussed	
10/25/2011	Town Council Committee of the Whole	Recommended for a Resolution	

2011-0203 Refunding Prior Years' Bonds (Part 1) Referral

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$20,000,000 REFUNDING BONDS FOR PAYMENT OF THE OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON ANY PORTION OF THE TOWN OF GROTON'S \$5,700,000 GENERAL OBLIGATION BONDS, ISSUE OF 2002, \$5,005,000 GENERAL OBLIGATION BONDS, ISSUE OF 2005, \$16,570,000 GENERAL OBLIGATION BONDS, ISSUE OF 2006, \$15,500,000 GENERAL OBLIGATION BONDS, ISSUE OF 2007, AND \$4,300,000 GENERAL OBLIGATION BONDS, ISSUE OF 2008 - LOT A; AND COSTS RELATED THERETO

RESOLVED,

(a) That the Town of Groton issue its refunding bonds, in an amount not to exceed TWENTY MILLION DOLLARS (\$20,000,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, and to apply the balance held in such escrows, together with the investment

earnings thereon, to the payment in whole or in part, as to be determined by the Town Manager and the Director of Finance of the Town, of the outstanding principal of and interest and any call premium on the Town's \$5,700,000 General Obligation Bonds, Issue of 2002 (consisting at initial issue of \$5,700,000 General Purpose Bonds), \$5,005,000 General Obligation Bonds, Issue of 2005 (consisting at initial issue of \$1,300,000 School Bonds and \$3,705,000 General Purpose Bonds), \$16,570,000 General Obligation Bonds, Issue of 2006 (consisting at initial issue of \$15,000,000 School Bonds and \$1,570,000 General Purpose Bonds), \$15,500,000 General Obligation Bonds, Issue of 2007 (consisting at initial issue of \$15,450,000 School Bonds and \$50,000 General Purpose Bonds), and \$4,300,000 General Obligation Bonds, Issue of 2008 - Lot A (consisting at initial issue of \$3,100,000 School Bonds and \$1,200,000 General Purpose Bonds), including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town does hereby covenant and agree with the holders of the bonds that in each year while any such bonds are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds as the same become due and payable.

(b) The Town Manager and the Director of Finance of the Town shall sign the bonds by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds. The Town Manager and the Director of Finance are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(d) That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the Town Manager and the Director of Finance are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$5,700,000 General Obligation Bonds, Issue of 2002, \$5,005,000 General Obligation Bonds, Issue of 2005, \$16,570,000 General Obligation Bonds, Issue of 2006, \$15,500,000 General Obligation Bonds, Issue of 2007, and \$4,300,000 General Obligation Bonds, Issue of 2008 - Lot A, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents and others to facilitate the issuance of the refunding bonds, the escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.

(f) That the above authorization to issue refunding bonds shall lapse on June 30, 2012.

Refer to RTM.

Legislative History

10/17/2011	Mayor	Referred	Town Council Committee of t
10/25/2011	Town Council Committee of the Whole	Discussed	
10/25/2011	Town Council Committee of the Whole	Recommended for a Resolution	

2011-0208 Refunding Prior Years' Bonds (Part 2) Referral

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$4,500,000 REFUNDING BONDS FOR PAYMENT OF THE OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON ANY PORTION OF THE TOWN OF GROTON'S \$3,000,000 GENERAL OBLIGATION SEWER BONDS, ISSUE OF 2007, AND \$3,250,000 GENERAL OBLIGATION SEWER BONDS, ISSUE OF 2008 - LOT B; AND COSTS RELATED THERETO

RESOLVED,

(a) That the Town of Groton issue its refunding bonds, in an amount not to exceed FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, and to apply the balance held in such escrows, together with the investment earnings thereon, to the payment in whole or in part, as to be determined by the Town Manager and the Director of Finance of the Town, of the outstanding principal of and interest and any call premium on the Town's \$3,000,000 General Obligation Sewer Bonds, Issue of 2007, and \$3,250,000 General Obligation Sewer Bonds, Issue of 2008 - Lot B, including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town does hereby covenant and agree with the holders of the bonds that in each year while any such bonds are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds as the same become due and payable.

(b) The Town Manager and the Director of Finance of the Town shall sign the bonds by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds. The Town Manager and the Director of Finance are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(d) That the Town Manager and the Director of Finance are authorized to make representations

and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the Town Manager and the Director of Finance are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$3,000,000 General Obligation Sewer Bonds, Issue of 2007, and \$3,250,000 General Obligation Sewer Bonds, Issue of 2008 - Lot B, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents and others to facilitate the issuance of the refunding bonds, the escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.

(f) That the above authorization to issue refunding bonds shall lapse on June 30, 2012.

Refer to RTM.

Legislative History

10/25/2011 Town Council Committee of Recommended for a
the Whole Resolution

2011-0204 Noank School Reuse Task Force - Update Referral

RESOLUTION ACCEPTING THE REPORT AND CERTAIN RECOMMENDATIONS OF THE NOANK SCHOOL REUSE TASK FORCE

WHEREAS, the Town Council established the Noank School Reuse Task Force in May 2008 to determine the statutory and other limitations on the Noank School property; inventory community needs that could be accommodated at the Noank School; make a recommendation as to whether or not the property should be permanently disposed of as surplus or reused to meet other public needs or leased to an outside concern; and recommend a plan to solicit reuse proposals for Town Council review; and

WHEREAS, starting in October 2008 the Task Force met numerous times, received significant public input, and conducted a community-wide survey regarding the school and its potential demolition or reuse, and

WHEREAS, the Task Force presented its final report and recommendation to the Town Council in October 2011, now therefore be it

RESOLVED, that the Town Council thanks the Noank School Reuse Task Force members for their effort and accepts the final report of the Task Force, and be it further

RESOLVED, that the Town Council endorses two of the three recommendations of the Task Force, specifically 1) The [Noank School] property remain publicly owned; and 2) As a publicly owned property the Noank Fire District be given a six month time frame (from the date of this resolution) to present a plan for the school and property.

Legislative History

10/18/2011 Mayor Referred Town Council Committee of the

10/25/2011 Town Council Committee of Discussed
the Whole

10/25/2011 Town Council Committee of Recommended for a
the Whole Resolution

**2011-0209 Establishment of the Energy, Efficiency and Referral
Conservation Committee**

RESOLUTION ESTABLISHING THE ENERGY, EFFICIENCY AND CONSERVATION

COMMITTEE

WHEREAS, the Task Force on Climate Change and Sustainable Community in its final report to the Town Council in February 2011 recommended the establishment of a permanent Task Force on Climate Change and Sustainable Community, and

WHEREAS, the Town Council agrees that it is desirable to engage knowledgeable citizens in a collaboration to investigate energy efficiency and conservation, now therefore be it

RESOLVED, that the Town Council establishes the Energy, Efficiency and Conservation Committee and authorizes the Mayor to solicit and/or make appointments to the Committee as follows:

1. A representative from Groton Utilities.
2. A representative from General Dynamics Electric Boat Division.
3. A representative from Pfizer.
4. A representative from the U.S. Submarine Base.
5. A representative from UCONN-Avery Point.
6. Two representatives from the previous Task Force on Climate Change and Sustainable Community.
7. A representative from the Town Council.
8. A representative from the RTM.
9. A representative from the Board of Education.
10. The Town Manager.
11. A representative of Planning and Development Services.
12. A representative of Public Works.

Legislative History

10/25/2011	Town Council Committee of the Whole	Recommended for a Resolution
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XI. OTHER BUSINESS**XII. ADJOURNMENT**